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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 (HONORABLE WILLIAM Q. HAYES)

11 UNITED STATES OF AMERICA,)	CASE NO. 08cr1626-WQH
12 Plaintiff,)	DATE: September 15, 2008
13 v.)	TIME: 2:00 p.m.
14 MARTIN MENDEZ-LAGUNAS,)	SUPPLEMENTAL DECLARATION IN
15 Defendant.)	SUPPORT OF MR. MENDEZ-LAGUNAS'
)	MOTION TO DISMISS THE INDICTMENT

16 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY;
17 STEWART YOUNG, ASSISTANT UNITED STATES ATTORNEY;

18 Martin Mendez-Lagunas, the defendant in this case, by and through his counsel, David Peterson and
19 Federal Defenders of San Diego, Inc., hereby files the attached declaration as Exhibit C in support of the
20 motion to dismiss in the above-captioned case.

21 Respectfully submitted,

22
23 Dated: September 4, 2008

/s/DAVID M.C. PETERSON
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Mendez-Lagunas

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing is true and accurate to the best information and belief, and that a copy of the foregoing document has been caused to be delivered this day upon:

Courtesy Copy to Chambers

Copy to Assistant U.S. Attorney via ECF NEF

Dated: September 4, 2008

/s/ DAVID M.C. PETERSON
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EXHIBIT C

Declaration of Jesus Mendez, Brother of Martin Mendez

1 **DAVID M.C. PETERSON**

California Bar No. 254498

2 **KRIS J. KRAUS**

California Bar No. 233699

3 **FEDERAL DEFENDERS OF SAN DIEGO, INC.**

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7 Attorneys for Mr. Martin Mendez-Lagunas

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 (HONORABLE WILLIAM Q. HAYES)

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARTIN MENDEZ-LAGUNAS,

15 Defendant.

) Case No.: 08CR1626-WQH

) Date: September 15, 2008

) Time: 2:00 p.m.

) **DECLARATION OF JESUS MENDEZ**

17 I, Jesus Mendez-Lagunas, hereby declare and state that:

18 1. I am the brother of Martin Mendez-Lagunas.

19 2. I live at 11519 Wood Street, Lamont, California, 93241.

20 3. When my brother had many family members in the United States when was deported from this
21 country.

22 4. Maria, our older sister, is a legal permanent resident. Maria was about 58 or 59 at the time of
23 Martin's deportation. She has 14 children, all of whom lawfully live in the United States. More than half
24 of these nephews and nieces of Martin are citizens. The others are legal permanent residents. They are all
25 steady and stable people. For example, Maria's son Javier is a police officer. Her daughter Lupita was a
26 corrections officer, but then went to the police academy. I believe she is a police officer now. Maria's son
27 Juan is a teacher, and is studying to become a superintendent of a school in Sacramento. Maria's children
28 Ramon, Rosa, and Miguel all work in schools the Bakersfield area.

5. I, Jesus, work in a carrot packing plant. I am the third-oldest child after Maria and Martin. I became

1 a United States Citizen in 2001. I was about 57 years old at the time of Martin's deportation. I have a 13
2 year old daughter Mayra, who is a citizen of the United States. Martin and I are very close.

3 6. Elisa is the youngest female daughter in our family. She is a legal permanent resident. She was
4 approximately 53 when Martin was deported. She has three children in the United States: Juanita, Lupita,
5 Maria. She also has two children in Mexico.

6 7. Martin has another brother, Luis. Luis is a legal permanent resident. He was approximately 47 at
7 the time of Martin's deportation. Luis has three children: Laura, Luis, Monica.

8 8. Our mother, Juanita Lagunas, was 78 when Martin was deported. Martin was very close to our
9 mother Juanita, who was very ill at the time he was deported. She had heart disease, which took her life on
10 April 24 of this year, 2008.

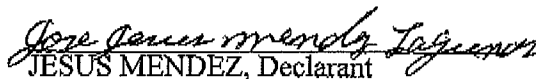
11 9. We are a very close family.

12 10. I would have helped Martin in any way I could so that he could have been sent to Mexico without
13 being deported.

14 11. Martin worked in multiple milk factories in the Bakersfield area. He supported himself through this
15 work. Martin was always a hardworking man. As far as I know, he always paid his taxes, and never sought
16 assistance from the government.

17 12. No one in our family—29 people lawfully in the United States—ever received any assistance from
18 the government, aside from my mother, who received Medical to help cover the costs of treatment for the
19 heart disease which recently took her life.

20 I so declare this ____ day of August, 2008, in Lamont, California.

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23 JESUS MENDEZ, Declarant
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